

James Allen Teel (SBN 150696)
1 Gaviota
Irvine, CA 92602

FILED

MAR 20 2013

**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

JAMES ALLEN TEEL, In Pro Per

STATE BAR COURT

HEARING DEPARTMENT – LOS ANGELES

In the Matter of:

) CASE NO. 12-O-16954

JAMES ALLEN TEEL,
No. 150696,

)
)
) **RESPONDENT JAMES ALLEN
TEEL'S RESPONSE TO NOTICE OF
DISCIPLINARY CHARGES**

A Member of the State Bar

1. I deny that I willfully violated the Business and Professions Code, Section 6068(k).

2. From 1997 to 2006, I was involved in minor misdemeanors which included two (2) driving under the influences in 2002 and 2003. These were in the midst of marital complications and a divorce.

3. In July 2011, I was suspended for sixty (60) days from the practice of law due to submitting an AA Report one day late and also not testing on one occasion. I did not test because of a medical emergency.

4. The suspension for sixty (60) days took place in September and October of 2011.

5. For the six months prior to that time, I was unable to take on any business and basically handled all matters to a conclusion or as much as possible until the sixty (60) days suspension was to go into effect. Even prior to my suspension, my practice was feeling the effects of the Bar imposed profile.

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1 6. Also, I had to close my office and also lay off four employees at that time.

2 7. I underwent my suspension in September and October of 2011.

3 8. Based upon the Bar's actions, I filed bankruptcy in mid-2011. I also was evicted from my
4 owned residence in San Clemente in September/October of 2011.

5 9. I moved to Irvine, California in November 2011. This would be near my two children and
6 closer to my work.

7 10. In late 2011, early 2012, I leased a small office in Tustin, California.

8 11. Based upon financial hardship, I was unable to keep my office or hire a secretary or any
9 help. Thus, I was unable to gain employment which I had been practicing for over twenty (20)
10 years. This was due to what was placed in the Bar profile and also based upon the sixty (60) day
11 suspension.

12 12. From June 2012 until December 2012, I was evicted from my residence in Irvine and
13 office in Tustin and my car was repossessed.

14 13. There are accounts by the probation department that in December or January of 2012, I
15 was given a request to submit to testing. I submitted those tests, but based upon claims of "diluted
16 sample" they were not counted as completed tests.

17 14. I called the lab, whereupon I was told that these tests were negative and that although they
18 were listed as diluted, the lab stated they were complete tests and they should have been counted,
19 etc. Apparently, drinking water and/or Gatorade prior to any tests so that I would not have to wait
20 two hours for testing may have caused some allegations of watering down these samples which is
21 completely untrue.

22 15. In July 2012, a court report was submitted, indicating that I was in compliance with all the
23 terms of my probation. At that time, I was in compliance with all the terms of my probation and I
24 had tested and submitted my reports. They stated that I did not submit a truthful quarterly report
25 based on the fact that two of my tests had come back allegedly diluted and were not counted by
26 the probation department.

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1 16. Starting in June 2012, I was under complete financial hardship. I did not have any money
2 and was not bringing any money in to pay any of my bills. Subsequently, I was unable to pay for
3 my residence, my car and/or any health insurance.

4 17. In July, I notified the probation department that I was unable to pay the \$150 testing fee
5 because I did not have any money whatsoever.

6 18. I had borrowed money from all of my friends to try to pay for any type of gas and food that
7 I needed to survive. I did not make any car payments starting in June and July of 2012 and I was
8 barely able to make any type of rent payment.

9 19. I lost my medical insurance in early 2012, as I was unable to pay my monthly fee.

10 20. I was subsequently given a 3 Day Notice to Quit in August of 2012 regarding the residence
11 in Irvine. I was able to prolong the unlawful detainer action, but I was subsequently evicted in
12 October/November of 2012.

13 21. The court looked upon my financial condition and I was relieved of paying the Answer fee
14 to the Unlawful Detainer.

15 22. In or about August/September or October 2012, I was \$2,000 behind in my rent payment to
16 my small office in Tustin. I was subsequently then evicted. I had not been able to make a
17 payment since June or July of 2012 to keep this office.

18 23. In June of 2012, I was unable to make my car payments and my vehicle was subsequently
19 repossessed in November 2012. I believe at that time I was five months behind in my lease
20 payments.

21 24. Therefore, although I had borrowed money from friends and family from early 2012
22 through November 2012 in order to try to survive and stay on my feet, I was unable to pay for any
23 residence or vehicle and also for any type of office.

24 25. In July 2012, I informed my probation officer that was unable to pay the \$150 fee for
25 testing. I was advised to bring a motion, but at that time was unable to do so.

26 26. Due to the State Bar action and resulting events, I was diagnosed with depression but was
27 unable to continue paying for treatment and medication.

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- 1 27. In 2011, I lost my seven year house in San Clemente, office in Irvine and filed bankruptcy.
- 2 28. Therefore, from July 2012 through December 2012, I was evicted from my Irvine
- 3 residence and office, my car was repossessed and I was basically left homeless.
- 4 29. At this time, I owe over \$70,000 to 15 – 20 creditors. This includes \$28,000 in taxes and
- 5 \$30,000 - \$40,000 to friends and family.
- 6 30. I have borrowed money from my brother, sister, ex-wife, father and friends.
- 7 31. I do not have any health insurance and am unable to afford seeing a doctor and/or
- 8 psychiatrist to continue any help with depression that has occurred based upon the complete loss
- 9 of my job, firm, employees and any type of means of employment.
- 10 32. At this time, I am now living in low income housing where I share a house with 10 - 12
- 11 other people, and cannot get any assistance except food stamps.
- 12 33. I do not have any income based upon the above. I am employable, however, based upon
- 13 what occurred, it is difficult to get back up.
- 14 34. I have two children who need me to help them. I have been unable to do so for the last
- 15 year based upon what has occurred financially and to my life.
- 16 35. I will be submitting bank documents to show the balance in my accounts which have been
- 17 basically negative. All of my accounts have been closed. I have no bank account, nor do I have
- 18 any type of credit cards in which to sustain any type of credit or buy anything of value.
- 19 36. At this time, all of my belongings are at my brother's house in Yucaipa, stored away in his
- 20 garage.
- 21 37. As indicated, I will be presenting all of my bank statements showing negative account
- 22 balances from July 2012.
- 23 38. I have completed any and all drug testing when able to do so and I am not by any means
- 24 not participating in my probation responsibilities for any reasons other than lack of funds and
- 25 depression which has occurred over the last two years.
- 26 39. As a valued member of the legal community, I have never had a complaint by any client
- 27 whatsoever.
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1 40. The State Bar decided to prosecute me based upon minor offenses which occurred a long
2 time ago and continues to prosecute me for very minor offenses, none which were based upon my
3 legal competence.

4 41. I have not willfully violated Business Professions Code Section 6068(k).

5 42. I have lost my entire law practice, my house, insurance, my car, and everything basically
6 that I earned in my life in the last year and a half to two years based upon the Bar's actions and
7 what has occurred because of such. I did not anticipate that this would occur from the State Bar,
8 the organization that I have represented for 20 years. This has affected my life to where I am
9 unable to make any money and/or keep any type of place to live, carry insurance, drive a car, or
10 pay any bills whatsoever.

11 43. My conduct does not pose a substantial threat of harm to interests of any of my clients or
12 to the public and has not for the past twenty-three (23) years. I have never had a complaint, and I
13 have I been told that I am one attorney that makes people outside the practice of law actually like
14 and respect attorneys.

15 44. I believe the State Bar has made a great mistake and basically ruined my career and the
16 integrity of one of its best lawyers.

17 45. As indicated, at this time, I am living in a house with over 10 people. It is a lower income
18 house. I am on food stamps and using a friend's vehicle to drive when necessary. I am trying to
19 get employment, which I believe I could, if given the opportunity, and get back on my feet.
20 Further, I owe somewhere near \$70,000 which has been incurred in the last one to two years.
21 There are among 15 - 20 creditors and family members.

22 46. This all started following sanctions from the State Bar and resulting from being clinically
23 diagnosed with depression. I had never been diagnosed with depression and have never been in a
24 position where I have needed financial help and/or help with day to day living prior to the State
25 Bar sanctions.

26 47. With the above and being unable to pay any type of membership dues, fees, expenses, etc.,
27 I have had my Bar dues paid by my ex-wife. I have been unable to pay my ABOTA fees for two

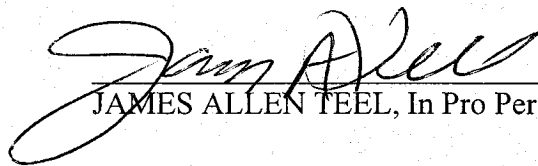
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1 years and therefore likely have been kicked out of ABOTA. I have had over 40 jury trials and this
2 was one of my life long achievements.

3 48. This, along with the fact of finding myself homeless, without the means to even look for a
4 job or continue practicing as a lawyer, is not something I expected or could believe would occur
5 from the State Bar, especially with an attorney who is very well respected and one which most, if
6 not all clients, have indicated makes them see lawyers in a favorable light rather than in a negative
7 aspect, which appears to be the common belief.

8
9 Respectfully Submitted,

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12 DATED: 3-20, 2013


JAMES ALLEN TEEL, In Pro Per

1 **PROOF OF SERVICE**
2 CCP §§ 1013A, 2015.5

3 STATE OF CALIFORNIA, COUNTY OF ORANGE

4 I, the undersigned, am employed in the County of Orange, State of California. I am over
5 the age of eighteen (18) years and not a party to the within action. My business address is 420
Exchange, Suite 270, Irvine, CA 92602.

6 On March 20, 2013, I served true copies of the foregoing document described as
7 **RESPONDENT JAMES ALLEN TEEL'S RESPONSE TO NOTICE OF DISCIPLINARY**
CHARGES on the interested parties in this action, addressed as follows:

8 State Bar of California 9 Office of the Chief Trial Counsel Jayne Kim, No. 174614 10 Chief Trial Counsel Joseph R. Carlucci, No. 172309 11 Deputy Chief Trial Counsel Alan B. Gordon, No. 125642 12 Assistant Chief Trial Counsel 13 R. Kevin Bucher, No. 132003 Deputy Trial Counsel 14 1149 South Hill Street 15 Los Angeles, CA 90015-2299	(213) 765-1630 (Telephone)
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16 (X) BY U.S. MAIL: The documents were placed in sealed, addressed envelopes on the above
17 date and placed for collection and mailing at my place of business. I am "readily familiar"
18 with the firm's practice of collecting and processing correspondence for mailing. Under
19 that practice, it would be deposited with the U.S. Postal Service on that same day with
20 postage thereon fully prepaid at Irvine, California in the ordinary course of business. I am
aware that on motion of the party served, service is presumed invalid if postal cancellation
date or postage meter date is more than one day after date of deposit for mailing in
affidavit.

21 () BY OVERNIGHT DELIVERY: I enclosed the documents in an envelope or package
22 provided by an overnight delivery carrier and addressed on the above date. I placed the
envelope or package for collection and overnight delivery at an office or a regularly
utilized drop box of the overnight delivery carrier.

23 () BY FACSIMILE TRANSMISSION: The documents were placed for transmission in a
24 facsimile transmission machine located in my employer's office, and were transmitted to a
25 facsimile machine maintained by the party or attorney to be served, on this same date in
the ordinary course of business. The transmission was reported as complete and without
26 error, and a record of the transmission was properly issued by the transmitting facsimile
machine.

27 (X) (State) I certify (or declare) under penalty of perjury under the laws of the State of
28 California that the foregoing is true and correct and that this declaration was executed on
March 20, 2013, at Irvine, California.

PROOF OF SERVICE

1 () (Federal) I declare that I am employed in the office of a member of the bar of this court at
2 whose direction the service was made.

3 Paula J. Reno
4 Paula J. Reno